

**THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO**

IN RE:

JOHN DENNING
LILLIAN DENNING

Debtor(s)

) CHAPTER 13
) CASE NO: 10-51882
)
) MARILYN SHEA-STONUM
) BANKRUPTCY JUDGE
)
) TRUSTEE'S MOTION TO DISMISS
) AS 341 FIRST MEETING OF
) CREDITORS CANNOT BE
CONCLUDED

Now comes Keith L. Rucinski, the Chapter 13 Trustee, and moves this Court for an order dismissing the above mentioned Chapter 13 plan for the reasons stated herein.

On **04/21/2010**, the above named Debtor(s) filed a petition for relief under Chapter 13 of the bankruptcy code.

The original date for the First Meeting of Creditors was **06/03/2010**, and has been adjourned several times because the Debtor(s) and attorney for the Debtor(s) have failed to supply the Trustee with certain required information. The Debtor(s) and attorney for the Debtor(s) were instructed to provide the following information to the Trustee.

CHAPTER 13

Keith L. Rucinski
Trustee
1 Cascade Plaza
Suite 2020
Akron, Oh 44308
(330) 762-6335
Fax
(330) 762-7072
Email
krucinski@chl3akron.com

_____Tax Returns

_____Financial Statements

_____Chapter 13 Payment

_____Pay stubs

_____Proof of auto insurance

_____Proof of homeowners insurance

_____See Below for issues regarding
Chapter 13 Plan

**NEED AMENDED PLAN - DEBTORS NEED TO PAY 11% TO
UNSECURED CREDITORS DUE TO HIGH BUDGET ITEMS**

WHEREFORE, the Chapter 13 Trustee hereby moves this Court for an order of dismissal of the above Chapter 13 case for all the reasons stated herein.

Respectfully submitted,

/s/ Keith L. Rucinski

Keith L. Rucinski, Chapter 13 Trustee
Ohio Reg. No. 0063137
One Cascade Plaza, Suite 2020
Akron, OH 44308
Phone: 330.762.6335
Fax: 330.762.7072
Email: krucinski@chl3akron.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been sent to:

JOHN DENNING
5923 TALLMADGE ROAD
ROOTSTOWN, OH 44272
(Via Regular Mail)

LILLIAN DENNING
5923 TALLMADGE ROAD
ROOTSTOWN, OH 44272
(Via Regular Mail)

WARNER MENDENHALL ESQ(via ECF)

Keith L. Rucinski, Chapter 13 Trustee(via ECF)

Office of the US Trustee(via ECF)

Date of Service: **8/27/2010** By: **Tammy Rowe**
Office of the Chapter 13 Trustee

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